

2003 SENATE BILL 522

March 3, 2004 – Introduced by Senator KANAVAS, cosponsored by Representative GUNDRUM. Referred to Committee on Judiciary, Corrections and Privacy.

1 **AN ACT to amend** 814.85 (1) (a), 814.85 (1) (b), 814.85 (1) (c) and 885.38 (3) (a)
2 (intro.) of the statutes; **relating to:** funding of guardian ad litem costs and
3 court interpreter fees and making appropriations.

Analysis by the Legislative Reference Bureau

Under current law, the state provides funds to the counties for the costs that they incur in providing court interpreters to persons with limited English proficiency who are unable to afford an interpreter and who are directly involved in criminal cases, cases involving juveniles or children, or cases regarding mental health commitments or protective placements. Currently, the state provides funds to the counties for the costs incurred in providing a guardian ad litem in appropriate circuit court cases. The money for this funding is generated from a court support service surcharge paid by most persons when they file a civil action.

Under this bill, the state will pay all of the costs of providing court interpreter services to persons with limited English proficiency, regardless of the type of case or ability to pay, and of providing guardians ad litem in the circuit courts. The bill increases the court support service surcharge to generate the money necessary to make those increased payments.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SENATE BILL 522**SECTION 1**

1 **SECTION 1.** 814.85 (1) (a) of the statutes, as affected by 2003 Wisconsin Acts 30,
2 33 and (Assembly Bill 421), is amended to read:

3 814.85 (1) (a) Except for an action for a first violation of s. 23.33 (4c) (a) 2.,
4 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the
5 violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the
6 time of the violation, or for a safety belt use violation under s. 347.48 (2m), the clerk
7 of circuit court shall charge and collect a ~~\$68~~ \$75 court support services surcharge
8 from any person, including any governmental unit as defined in s. 108.02 (17), paying
9 a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).

10 **SECTION 2.** 814.85 (1) (b) of the statutes, as affected by 2003 Wisconsin Acts 33
11 and (Assembly Bill 421), is amended to read:

12 814.85 (1) (b) Notwithstanding par. (a), the clerk of circuit court shall charge
13 and collect a ~~\$169~~ \$189 court support services surcharge from any person, including
14 any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1)
15 (a) or (3) or 814.62 (1) or (2), if the party paying the fee seeks the recovery of money
16 and the amount claimed exceeds the amount under s. 799.01 (1) (d).

17 **SECTION 3.** 814.85 (1) (c) of the statutes, as affected by 2003 Wisconsin Acts 33
18 and (Assembly Bill 421), is amended to read:

19 814.85 (1) (c) Notwithstanding par. (a), the clerk of circuit court shall charge
20 and collect a ~~\$51~~ \$57 court support services surcharge from any person, including
21 any governmental unit, as defined in s. 108.02 (17), paying a fee under s. 814.62 (3)
22 (a) or (b), or paying a fee under s. 814.61 (1) (a) or (3) or 814.62 (1) or (2) if the party
23 paying the fee seeks the recovery of money and the amount claimed is equal to or less
24 than the amount under s. 799.01 (1) (d).

25 **SECTION 4.** 885.38 (3) (a) (intro.) of the statutes is amended to read:

